



United States
Department of
Agriculture

Forest
Service

Santa Fe National Forest

Cuba Ranger District
P.O. Box 130
Cuba, New Mexico 87013
505-289-3264

File Code: 1950

Date: November 4, 2003

Dear Interested Party:

Enclosed for your information are the Decision Notices (DN) and Findings of No Significant Impact (FONSI) for the Penas Negras, Ojito Frio, Palomas, and Vacas Range Allotments. These decisions approve seasonal cattle grazing activities in conjunction with construction and reconstruction of range improvements. Specific details related to the number of pastures, rotational system, and number and types of improvements are provided in the Environmental Assessment and are summarized in the attached Decision Notices for each allotment.

An Environmental Assessment for these four allotments was prepared and distributed for public comment on July 10, 2003. A Notice of Availability was published in the *Albuquerque Journal* on July 12, 2003, marking the beginning of the required 30-day comment period. Three written comments and one oral comment were received during the comment period (Project Record #39). A review of comments indicated that many were already addressed in the EA; those not already addressed were identified and subsequently addressed in the attached Decision Notices and Findings of No Significant Impact or in the supplemental effects analysis (Attachment 1). In reviewing all comments, it was determined that the four commenters provided substantive comments, and as such, have standing to appeal.

These decisions are subject to appeal pursuant to 36 CFR 215 by individuals or organizations that submitted substantive comments during the 30-day comment period (36 CFR 215.6). An appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer. Submit appeals to: Appeal Deciding Officer, Gilbert Zepeda, Forest Supervisor, Santa Fe NF, P.O. Box 1689, 1474 Rodeo Road, Santa Fe, NM 87504-1689, fax: (505) 438-7834, email: appeals-southwestern-santafe@fs.fed.us (.doc, .rtf, .txt formats only). If hand delivered, the appeal must be received at the above address during business hours (Monday through Friday, 8:00 am – 4:30 pm), excluding holidays. The appeal must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic appeals.

Appeals, including attachments, must be in writing, fully consistent with 36 CFR 215.14, and filed (postmarked) within 45 days following the date the legal notice is published in the *Albuquerque Journal*; this date is the exclusive means for calculating the time to file an appeal. Those wishing to appeal one or more of these decisions should not rely upon dates or timeframes provided by any other source.

The allotment permittees may appeal the Decision under 36 CFR 215 or 36 CFR 251, but not both. Under 36 CFR 251, a Notice of Appeal must be consistent with 36 CFR 251.90 and filed simultaneously with the Forest Supervisor, Gilbert Zepeda, Appeal Deciding Officer (above listed address) and Cuba District Ranger Steve Romero (Cuba Ranger District Office, P.O. Box 130, Cuba, NM 87013), within 45 days from the date of publication of the legal notice.



If no appeals are filed within the 45-day time period, implementation of the decisions may occur on, but not before, five business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Sincerely,

/S/ Steve Romero
STEVE F. ROMERO
District Ranger